

Article - Health Occupations

[\[Previous\]](#)[\[Next\]](#)

§12-320.

(a) In investigating an allegation brought against a licensee, registered pharmacy intern, or registered pharmacy technician under this title, if the Board has reason to believe that a licensee, registered pharmacy intern, or registered pharmacy technician may cause harm to a person affected by the licensee's practice, the acts of a registered pharmacy intern, or the acts of a registered pharmacy technician, the Board on its own initiative may direct the licensee, registered pharmacy intern, or registered pharmacy technician to submit to an appropriate examination by a health care provider designated by the Board.

(b) In return for the privilege given to a licensee to practice pharmacy, a registered pharmacy intern to practice pharmacy under the direct supervision of a pharmacist, or a registered pharmacy technician to perform delegated pharmacy acts in the State, the licensee, registered pharmacy intern, or registered pharmacy technician is deemed to have:

(1) Consented to submit to an examination under this section, if requested by the Board in writing; and

(2) Waived any claim of privilege as to the testimony or examination reports of a health care provider.

(c) The failure or refusal of a licensee, a registered pharmacy intern, or registered pharmacy technician to submit to an examination required under this section is prima facie evidence of the licensee's inability to practice pharmacy competently, the registered pharmacy intern's inability to practice pharmacy competently under the direct supervision of a pharmacist, or the registered pharmacy technician's inability to perform delegated pharmacy acts, unless the Board finds that the failure or refusal was beyond the control of the licensee, registered pharmacy intern, or registered pharmacy technician.

(d) The Board shall pay the cost of any examination made under this section.

[\[Previous\]](#)[\[Next\]](#)